

**BROWN RUDNICK LLP**

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in their capacities as Joint Liquidators  
of Fairfield Sentry Limited*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION  
CORPORATION,**

**Plaintiff,**

**v.**

**BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,**

**Defendant.**

**Adv. Pro. No. 08-01789 (BRL)**

**SIPA Liquidation**

**(Substantively Consolidated)**

**In re:**

**BERNARD L. MADOFF,**

**Debtor.**

**OBJECTION AND RESERVATION OF RIGHTS OF KENNETH KRYZ AND JOANNA  
LAU, AS LIQUIDATORS OF FAIRFIELD SENTRY LIMITED, TO OCTOBER 15, 2010  
NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM NO. 11310**

Kenneth Krys and Joanna Lau, in their capacities as the duly appointed joint liquidators (together with their predecessors, the “Sentry Liquidators”) of Fairfield Sentry Limited (“Sentry”), through their United States counsel Brown Rudnick LLP, hereby submit this objection and reservation of rights (“Objection”) to the Notice of Trustee’s Determination of Claim, dated as of October 15, 2010, with respect to Claim No. 11310 of Sentry (the “October 15 Denial Notice”).<sup>1</sup> In support of this Objection, the Sentry Liquidators respectfully state as follows:

1. The October 15 Denial Notice purports to deny in its entirety Claim No. 11310, which relates to Sentry’s Account No. 1-FN070<sup>2</sup> with Bernard L. Madoff Investment Securities LLC. See October 15 Denial Notice at 1-2. The October 15 Denial Notice provides that that Sentry does not have positive “net equity” in Account No. 1-FN070 because the amount of money Sentry withdrew from Account No. 1-FN070 is purportedly “the same as the amount that was deposited with BLMIS for the purchase of securities.” See id.

2. The October 15 Denial Notice further provides that Sentry must file a written opposition to the October 15 Denial Notice within thirty days of October 15, 2010 to prevent the October 15 Denial Notice from being deemed binding on Sentry. See id. at 2-3.

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<sup>1</sup> The Trustee has also issued a Notice of Trustee’s Determination of Claim, dated as of October 8, 2010, with respect to Claim No. 11310 (the “October 8 Denial Notice”). The October 15 Denial Notice and the October 8 Denial Notice both relate to Claim No. 11310 and appear to be identical in all respects, except for their respective dates. On November 5, 2010, the Sentry Liquidators timely filed an objection and reservation of rights with respect to the October 8 Denial Notice. Although the Sentry Liquidators do not understand the purpose of the Trustee’s duplicate Denial Notice and have already timely objected to the Trustee’s denial of Claim No. 11310, they file this additional Objection (which is substantially identical to their November 5 Objection) out of an abundance of caution.

<sup>2</sup> Although the October 15 Denial Notice only makes reference to Account No. 1-FN070, it lists the amount of Claim No. 11310 as \$3,152,690,217.00, which is actually the net total amount of Account Nos. 1-FN070 and 1-FN045 combined. To the extent that the October 15 Denial Notice is deemed to apply to Account No. 1-FN045, this Objection, and all reservations of rights made herein, shall also apply with respect to Account No. 1-FN045.

3. Accordingly, the Sentry Liquidators, on behalf of Sentry, file this Objection to the October 15 Denial Notice and hereby reserve all of their and Sentry's rights, legal, equitable, or otherwise, with respect to the October 15 Denial Notice. In particular, the Sentry Liquidators, on behalf of Sentry, hereby reserve all of their and Sentry's rights to further oppose the October 15 Denial Notice based on any available evidence demonstrating that Sentry may have "net equity" in Account No. 1-FN070, or any other available evidence demonstrating that Claim No. 11310 should not be denied.

Dated: New York, New York  
November 11, 2010

Respectfully submitted,

**BROWN RUDNICK LLP**

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